

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: : Chapter 13
Roberts, Dawn
Debtors/ Respondents : 17-15652

**Answer to Motion of
For Relief from Automatic Stay**

Debtor, Dawn Roberts by and through her undersigned attorney, hereby provides the following answers to the Motion for Relief from Stay filed by **DITECH FINANCIAL LLC ("Movant")**. These responses are made without prejudice to debtor's right to present additional facts or contentions at trial based upon information hereinafter obtained or evaluated. Debtor specifically reserves the right to supplement or amend her responses or present additional facts and contentions at a later date to any of the answers given.

1. Denied. The allegation contained herein are directed to a party other than the answering debtor, and they are denied as no response is required.

2. Admitted in part. It is admitted that "DAWN ROBERTS is the owner of the premises located at **2721 PLOVER STREET, PHILADELPHIA, PA 19153**. The remaining averments contained in this Paragraph consist of mischaracterization or summarization of documents that speak for themselves and they are denied as no response is required.

3. Denied. The averments contained in this Paragraph consist of mischaracterization or summarization of documents that speak for themselves and they are denied as no response is required.

4. Denied. The allegation is a legal conclusion of law to which no answer is required. To the extent an answer may be appropriate, the allegations are denied, and the debtor aver, on the contrary, that it was Debtor's belief that she was making on-time mortgage payments.

5. Denied. The allegation contained herein are directed to a party other than the answering debtor, and they are denied as no response is required.

6. Denied as stated. The filing of a bankruptcy petition immediately puts into effect the automatic stay, which prevents creditors from taking any further actions against the debtor or the debtor's property with respect to claims arising prior to commencement of the case. See 11 U.S.C. Section 362. By way of further answer, the allegation contained herein are directed to a party other than the answering debtor, and they are denied as no response is required. Proof thereof is demanded.

7. Denied. By way of further response, it was Debtor's belief that she was making on-time mortgage payments.

8. Denied. Any request for costs and legal fees in excess of \$400, is excessive. The pleading in this motion for relief is identical and/or similar, with other motions for relief filed which request only \$400 for legal fees and costs. There is no stated or apparent reason or justification for any higher request. See In Re: B & K Brady Bk No. 03-18198 DWS (Request \$400) or In Re: E.Frisby Bk. No. 03-31127 DWS (Request \$400).

9. - 11 The allegations are legal conclusions of law to which no answers are required

For the reasons set forth above, among others, and based on this Court's authority under the Bankruptcy Code, the Debtor prays that the motion be denied, and such other relief as is just and proper. The Debtor specifically reserves the right to supplement the answer at or prior to the hearing thereon.

Dated: November 27, 2018

"/s/" Mitchell J. Prince
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